

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**GUIDEONE MUTUAL COMPANY,  
GUIDEONE SPECIALTY MUTUAL  
COMPANY, and GUIDEONE  
ELITE INSURANCE COMPANY,**

**Plaintiffs,**

**v.**

**KATHLEEN HOPKINS and  
APRIL HOLTON,**

**Defendants.**

CIVIL ACTION NO.: CV- 2:05CV1070-F

**ORDER**

The Court has reviewed Plaintiffs' Complaint for Declaratory Relief, for Preliminary and Permanent Injunctive Relief, and for Damages, Plaintiffs' Motion for Temporary Restraining Order and for Expedited Hearing, and the affidavits and exhibits submitted in support thereof.

It appears to the Court that, unless a Temporary Restraining Order granting appropriate relief is issued immediately before the matter can be heard on notice, irreparable injury would result to Plaintiffs, GuideOne Mutual Company, GuideOne Specialty Mutual Company, and GuideOne Elite Insurance Company (collectively, "GuideOne" or the "Company"); Defendants threaten to do one or more actions in violation of the rights of Plaintiffs respecting the subject of the action, tending to render the judgment ineffectual; and pecuniary compensation would not afford adequate relief. Good cause appearing,

**IT IS HEREBY ORDERED,** that for ten (10) days from the entry of this Order, or until this Court rules on Plaintiff's pending Motion for Temporary Restraining Order and for Expedited Hearing, whichever occurs first, Defendant Kathleen Hopkins and all persons acting in concert or participation with her are enjoined from

- (1) engaging in the business of selling property, casualty and life insurance within a 25 mile radius of the city limits of Montgomery, Alabama;
- (2) soliciting or contacting any policyholder or customer of GuideOne or any of its affiliated agencies or companies for the purpose of selling property, casualty and life insurance;  
and

- (3) from retaining or using for any purpose any GuideOne property including, without limitation, policyholder files, Company signs and brochures, underwriting and rating manuals or guidelines, policy procedural manuals, applications, policy forms, furniture, software or any other confidential information, trade secrets or Company property of GuideOne provided or otherwise made available to Defendant Hopkins pursuant to her Agent Contract.

**IT IS FURTHER ORDERED** that Defendants Kathleen Hopkins and April Holton shall return to GuideOne all policyholder files, Company signs and brochures, underwriting and rating manuals or guidelines, policy procedural manuals, applications, policy forms, furniture, software or any other confidential information, trade secrets or Company property of GuideOne provided or otherwise made available to Defendant Hopkins pursuant to her Agent Contract, including all copies of said materials.

**IT IS FURTHER ORDERED** that Defendants Kathleen Hopkins and April Holton appear at the United States District Court for the Middle District of Alabama on November 16<sup>th</sup>, 2005 at <sup>1:00 P.M.</sup> or as soon thereafter as the matter may be heard, to show cause, if any they have, why the injunction and restraints sought in Plaintiff's proposed preliminary injunction should not be entered against Defendants, their principals, agents, servants, employees, attorneys, successors and assigns, representatives and all persons acting in concert or participation with them, during the pendency of this action, together with any other injunctive relief as appropriate.

**IT IS FURTHER ORDERED** that a copy of this Order, Plaintiffs Motion for Temporary Restraining Order, Plaintiffs' Complaint for Declaratory Relief, for Preliminary and Permanent Injunctive Relief, and for Damages, and all supporting papers, be served upon Defendants not later than November 7<sup>th</sup>, 2005. All Defendants who reside in the United States, and as to whom Plaintiffs have identified a street address or post office box, are to be served by return-receipt mail via the United States mail.

**IT IS FURTHER ORDERED** that Defendants serve by (i) personal delivery upon or transmittal of facsimiles to Christopher W. Weller, Esq. at the offices of Capell & Howard, P.C., attorney for Plaintiffs, P.O. Box 2069, Montgomery, Alabama 36102-2069, telephone number 334-241-8066, facsimile number 334-323-8888, or (ii) by e-mail to the following address: cww@chlaw.com, all papers, documents, affidavits, declarations, records and pleadings which they intend to file in response to this Order to Show Cause no later than November 15<sup>th</sup>, 2005. Plaintiff shall serve by personal delivery, transmittal of facsimiles or e-mail any papers, documents, affidavits, declarations, records and pleadings which it intends to file in reply to Defendants' papers in response to this Order to Show Cause no later than November 15<sup>th</sup>, 2005.

Dated: November 4<sup>th</sup>, 2005

*THIS CAUSE IS SET FOR A HEARING ON THE CONTINUATION OF THE PRELIMINARY INJUNCTION ON NOV 16, 2005 @ 1:00 P.M. IN COURTROOM 2A.*

*[Signature]*  
United States District Court Judge